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MARITIME SAFETY COMMITTEE
75th session
Agenda item 17

MSC 75/17/31
12 April 2002
Original: ENGLISH

**PREVENTION AND SUPPRESSION OF ACTS OF TERRORISM
AGAINST SHIPPING**

Port facility security

Submitted by the United States

SUMMARY

<i>Executive summary:</i>	This document provides the United States comments and proposals on the mandatory requirements and recommendations for port facility security
<i>Action to be taken:</i>	Paragraph 8
<i>Related documents:</i>	MSC 75/17/1, MSC 75/ISWG/WP.3, MSC 75/ISWG/WP.4, MSC 75/17/29, MSC 75/ISWG/5/7, MSC/Circ.443

INTRODUCTION

1 The intersessional meeting of the MSC Working Group on Maritime Security (ISWG), which met from 11-15 February 2002, considered a comprehensive set of proposals to improve maritime security submitted by the United States. One of these proposals was to include in the International Convention for the Safety of Life at Sea, 1974 (SOLAS) a requirement for port facility security plans, using MSC/Circ.443 as the basis for details of such plans.

2 The ISWG agreed to recommend to the MSC to incorporate a requirement for port facility security plans into Chapter XI of SOLAS to address the ship/port interface. Based upon this agreement, the ISWG Guidance Group and Drafting Group were instructed to prepare the text for a new regulation in SOLAS for port facility security plans and the necessary mandatory and recommendatory text for such plans, using the provisions of MSC/Circ.443 as a basis. These draft texts are contained in annexes 1 and 2 of MSC 75/17/1. Member Governments and other interested international organizations were invited to submit comments and proposals on the measures developed by the ISWG.

3 Attached in the annexes are the United States comments and proposals on the mandatory requirements and recommendations on port facility security.

For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

DISCUSSION

4 MSC 75/17/29 (Government Obligations submitted by the United States) concerning government obligations with respect to maritime security proposes amendments to SOLAS chapter XI to require compliance by port facilities with the proposed Code. As follow-on to MSC 75/17/29, the annexes to this paper contain our comments and proposals on the mandatory requirements and recommendations on Sections 9 through 13 for port facility security of the draft Code developed by the ISWG (MSC 75/ISWG/WP.4, annex 2). Annex 1 of this paper contains changes to Part A of the proposed Code as contained in MSC 75/ISWG/WP.4. Annex 2 of this paper contains proposed text for the recommendations that would be contained in a Part B of the proposed Code.

5 In MSC 75/ISWG/5/7, the United States proposed a number of initiatives that addressed the following four elements: awareness, prevention, response, and consequence management. Port facility personnel must continually be aware of their environment and the domain in which they are operating as the critical first step to prevent acts that threaten the security of a port facility or the ship/port interface. Prevention measures are those that are designed to increase the difficulty of unauthorized boarding or entry, or prevent the introduction of prohibited weapons, incendiaries, or explosives in a port facility. Port facility personnel must be prepared to respond to any act that threatens the security of the port facility. Consequence management can be directly linked to the ability of port facility personnel to appropriately and quickly respond in order to mitigate the results of an act that threatens the security of the port facility. The United States proposes mandatory minimum-security measures and procedures that correspond with the above elements and are based on increasing security levels.

6 The U.S. recognizes the unique operation and design of fixed and floating platforms and that often these platforms are unmanned or have minimal manning. The U.S. therefore proposes to make certain exceptions to Part A, contained in subparagraphs 9.2 and 9.3 of the Code, as outlined in annex 1, for fixed and floating platforms that are unmanned or with less than 12 crewmembers.

7 Several provisions in the proposed Code establish mandatory security design and equipment requirements. These include:

- barriers adequate to control and channel access;
- lights to illuminate the port facility and access points;
- intrusion alarms to alert security personnel of entry to restricted spaces;

Other provisions in the proposed Code allow security equipment to be accepted as a means of complying with procedural requirements of the Code. These include:

- equipment, such as metal detectors, to assist in screening persons, personal effects, stores, non-containerized cargo, and vehicles; and
- hand held radios as means of immediate communication with security personnel and other watchstanders.

Action requested of the Committee

8 The Committee is invited to consider the above comments and the proposed changes and proposed new text in annexes 1 and 2 when developing the draft Code.

ANNEX 1

1 The following are suggested changes to the proposed text of **Part A – on Port Facility Security of the International Code for the Security of Ships** (see annex 2 to MSC 75/ISWG/WP.4)

~~[[Draft]~~ International Code for the Security of Ships ~~[- Mobile Offshore Drilling Units and Fixed and Floating Platforms]~~ and of Port Facilities ~~[and Fixed and Floating Platforms]~~

Part A

Mandatory requirements regarding the provisions of Part B of Chapter XI of the Annex to the International Convention for the Safety of Life at Sea, 1974 as amended

- 2 **Definitions** (NOTE – Additional definitions are contained in MSC 75/17/30 (Ship Security submitted by the United States)).
 - 2.1 For the purpose of this Part of the Code, unless expressly provided otherwise:
 - .1 “Convention” means the International Convention for the Safety of Life at Sea, 1974, as amended. Terms not otherwise defined in this Part of the Code have the same meaning as the meaning attributed to them in the Convention.
 - .2 “Port Facility Security Officer” means the person in a port responsible for the development, implementation and maintenance of the port facility security plan and for liaison with the ships’ security officers.
 - .3 “Security Level I” means the new maritime security normalcy. This is the risk level for which protective measures must be maintained for an indefinite period of time.
 - .4 “Security Level II” means there is a heightened threat of an unlawful act against a port facility or ship and intelligence indicates that terrorist activities or unlawful acts are likely to occur within a specific area or against a specific class of target. Additional protective measures may be expected to be sustained for substantial periods of time.
 - .5 “Security Level III” means an unlawful act against a port facility or ship is probable or imminent. Intelligence may indicate that terrorist activities or unlawful acts are going to occur to specific targets, though it may not be possible to identify such targets. Additional protective measures are not intended to be sustained for substantial periods of time.
 - 2.2 Terms not otherwise defined in this Part of the Code have the same meaning as the meaning attributed to them in the Convention.
 - 2.3 For the purpose of this Code the word “Port Facility” includes Port Facilities and Fixed and Floating Platforms.

9 Port Facility ~~and Fixed and Floating Platform~~ Security

9.1 ~~Security measures and procedures reduce port facility vulnerability. Increased levels of threat have a significant influence on the number and type of security measures used and the degree of measures and procedures adopted. The measures implemented should shall take into account the current assessment of the likely threat together with local conditions and circumstances.~~ Security measures and procedures shall be applied at the port facility in such a manner as to cause a minimum of interference with, or delay to, passengers, ship, goods and services, taking into account the requirements for Ship Security Plans referred to in Section A/5 of this code.

Port Facility Security Exceptions

9.2 The provisions of the following paragraphs do not apply to unmanned fixed and floating platforms:

- .1 all procedures and requirements as related to vehicles and vehicular access;
- .2 9.13 and 9.14;
- .3 9.18;
- .4 9.21 through 9.23;
- .5 9.24 and 9.25;
- .6 10.2.4 through 10.2.7, 10.2.15; and
- .7 13.2.

9.3 The provisions of paragraph 12, Port Facility Security Officer, as applied to fixed and floating platforms with less than 12 crew may be achieved by designating one officer with responsibility for multiple platforms as approved under procedures designated and implemented by the Contracting Government.

9.4 All port facilities, unless stated other wise, shall comply with the following on-scene security measures ~~shall be considered~~:

- .1 restricted areas;
- .2 security barriers;
- .3 security lighting;
- .4 ~~security~~ alarms and communication systems;
- .5 access control and identification; ~~and~~
- .6 security personnel; and
- .7 cargo security.

Restricted areas

9.5 The port facility shall establish restricted areas to control and channel access and improve security. Restricted areas may be further subdivided depending on the degree of restriction or control required to prevent unauthorized access.

9.6 The port facility shall establish a boundary between restricted and uncontrolled areas that shall prevent access except at authorized points.

Security barriers

9.7 The port facility shall establish security barriers that:

- .1 delineate the areas to be protected;
- .2 delay or prevent unauthorized access to the restricted area, enabling operating personnel and security guards to detect, and, if necessary, apprehend intruders;
- .3 prevent the introduction of dangerous substances and devices; and
- .4 provide designated and readily identifiable places for entry of personnel and vehicles into areas where access is restricted.

9.8 The port facility shall ensure that access points in security barriers are kept to a minimum and secured when not in use.

Security Lighting

9.9 The port facility shall provide security lighting to illuminate specific areas, including all restricted areas, continuously during the hours of darkness or restricted visibility.

9.10 The port facility shall provide security lighting with uninterrupted power supply and comprised of multiple circuits so arranged that failure of one lamp would not affect a series of others.

9.11 The security lighting control and switches shall be protected at all times.

Alarms and communication systems

9.12 The port facility shall provide means of transmitting discreet or covert signals by radio, direct-line facilities or other similarly reliable method at each access point for use by the control and monitoring personnel to contact police, security control, or an emergency operations center in the event assistance is required.

9.13 *At security levels II and III* – The port facility shall ensure that alarms and communications systems are tested frequently.

Access Control and Identification

9.14 The port facility shall establish procedures for identification, inspection, and visitor control and monitoring of persons and property beyond the access points. These procedures shall include, but not be limited to: personnel identification, property search, and vehicle access. The procedures and measures implemented and standards used shall be described in the facility security plan.

9.15 The port facility shall implement a pass or badge identification system to identify all personnel whose duties require them to pass through the access points.

9.16 The port facility shall ensure that deliveries of supplies or services relating to port facility operations are subject to search by security personnel or competent authority commensurate with the established security level.

9.17 Port facility shall develop vehicle access control procedures, including the establishment of designated parking areas away from restricted areas.

9.18 *At security levels II and III* – Port facility access points shall be limited and access controls enhanced.

9.19 *At security level III* – The port facility shall ensure that all vehicles, deliveries, articles, packages, or bags entering the port facility are inspected.

9.20 *At security level III* – The port facility shall inspect underwater pier areas prior to ship arrival.

Security Personnel

9.21 The port facility shall develop and periodically review written security personnel procedures. The security personnel procedures shall include, but not be limited to:

- .1 security patrol information;
- .2 security orders;
- .3 measures to summon additional safety or security personnel from outside the facility; and
- .4 measures for after-hours and weekend operations.

9.22 Guards or security personnel shall be furnished with means of communication to promptly notify appropriate personnel of threats or breaches of security.

9.23 *At security levels II and III* – The frequency of security patrols shall be increased with particular attention focused to restricted areas, the port facility perimeter, and waterside access areas.

9.24 *At security levels II and III* – The port facility shall establish procedures and identify methods to sweep terminal and waterfront areas for explosives or other dangerous devices prior to a ships arrival.

9.25 *At security levels II and III* – The port facility shall review emergency contingency plans and the port facility security plan or procedures; and port facility personnel shall be briefed on enhanced security procedures.

Cargo Security

9.26 The port facility shall establish security procedures to control and monitor delivery and receiving cargo operations.

9.27 The procedures shall ensure that cargo can only be released to the carrier specified in the delivery order unless a release authorizing delivery to another carrier is presented and verified.

10 Port Facility ~~{and Fixed and Floating Platform}~~ Security Plan and Procedures

10.1 Each port facility shall develop and maintain an appropriate Port Facility Security Plan or procedures, adequate for local port vulnerabilities, risks and threat conditions and adequate for the ship/port interface. The plan shall be sufficiently flexible to take into account the level of security required by the threats the facility may encounter or the ship/port interface may warrant for each port. The plan shall be developed from the point of view of the ship/port interface and aimed at ship and cargo security. The plan may be kept in an electronic format, ~~and~~ The plan shall be protected by means to prevent it from unauthorized access or disclosure, or from being deleted, destroyed or overwritten.

10.2 Such a plan shall be ~~{in accordance with}~~ ~~{Section A {B} of this Code and {the Guidelines developed by the Organization}}~~ and written in the language of the facility operator and facility personnel. If the language is neither English nor French nor Spanish a translation into one of those languages shall be included. The plan shall ~~consist~~ address at least ~~of~~ the following:

- .1 measures and equipment ~~{required}~~ ~~{designed}~~ to prevent weapons or any other dangerous devices ~~{intended for use against people, ships or ports}~~, the carriage of which is not authorized,} from being introduced by any means ~~{whatsoever}~~ on to the facility;
- .2 measures ~~{for the prevention}~~ ~~{designed to prevent}~~ unauthorized access to the facility, to ships moored at the facility, and to restricted areas of the facility;
- .3 procedures for responding to security threats or breach of security, including provisions for maintaining critical operations of the port facility or ship/port interface;
- .4 procedures for evacuation in case of security threats or breach of security;
- .5 procedures for the evaluation of the trustworthiness of all persons responsible for any aspect of security, before they are employed;
- .6 procedures for the training of facility personnel assigned security duties and of other facility personnel on security aspects;
- .7 procedures and requirements for exercises and drills;
- .8 procedures for auditing the security activities associated with the plan;
- .9 procedures for interfacing with ship security activities;
- .10 procedures for ensuring consistency between security requirements and safety requirements;
- .11 procedures for the periodic review and updating of the plan;
- .12 procedures for reporting unlawful acts threatening the security of the port facility;
- .13 identification of the Port Facility Security Officer; ~~and~~
- .14 measures to ensure the security of the information contained in the plan;
- .15 measures designed to ensure effective security of cargo while under the custody of the port facility, and security of the cargo handling equipment at the port facility; and
- .16 measures designed to enhance security during periods of heightened risk;

10.3 In developing and updating the Port Facility Security Plan, the port facility vulnerability assessment referred to in Section A/11 of this code shall be taken into account.

10.4 The Port Facility Security Plan may be ~~{combined with}~~, or ~~{part of}~~, the port security plan or any other port emergency plan or plans.

~~{10.5 The Port Facility Security Plan shall be approved by the Contracting Government in whose territory the port facility is located or by an authority designated for that purpose by the Contracting Government.}~~

11 Port Facility ~~{and Fixed and Floating Platform}~~ Vulnerability Assessment

Note: The proposed amendments to this section are contained in MSC 75/17/X (Port Facility Vulnerability Assessments submitted by the United States).

12 Port Facility ~~{and Fixed and Floating Platform}~~ Security Officer

12.1 A Port Facility Security Officer shall be designated for each port facility.

12.2 The duties and responsibilities of the Port Facility Security Officer shall include, but are not limited to:

- .1 conducting an initial comprehensive security survey in order to prepare a port facility security plan, and thereafter regular subsequent security inspections of the port facility to ensure continuation of appropriate security measures;
- .2 implementing and exercising the port facility security plan;
- .3 recommending modifications to the port facility security plan to correct deficiencies and satisfy the security requirements of the port facility;
- .4 encouraging security awareness and vigilance;
- .5 ensuring adequate training for personnel responsible for security of the port facility;
- .6 reporting and maintaining records of occurrences of unlawful acts threatening the security of the port facility;
- .7 coordinating implementation of the Port Facility Security Plan with the appropriate Company and Ship Security Officer(s); ~~and~~
- .8 coordinating with other national and international security services, as appropriate; and
- .9 establishing minimum hiring standards for personnel responsible for security of the port facility.

13 Training and Drills

13.1 The Port Facility Security Officer and appropriate port facility security personnel shall have knowledge and receive training ~~{in accordance with}~~ ~~{Section A [B]/...of this Code}~~ the Guidelines developed by the Organization ~~{in some or all of the following, as appropriate:~~

- .1 security administration;

- .2 relevant international conventions, codes and recommendations;
- .3 responsibilities and functions of other involved organizations;
- .4 relevant government legislation and regulations;
- .5 risk, threat and vulnerability assessments;
- .6 security surveys and inspections;
- .7 ship and port facility security measures;
- .8 security training and education;
- .9 recognition of characteristics and behavioral patterns of persons who are likely to commit unlawful acts;
- .10 inspection, control and monitoring techniques;
- .11 techniques used to circumvent security measures;
- .12 recognition and detection of weapons, dangerous substances and devices;
- .13 ship and local port operations and conditions; ~~and~~
- .14 security devices and systems; and
- .15 methods of physical searches.}

13.2 Port facility personnel having specific security duties shall know their responsibilities for facility security as described in the port facility security plan and shall have sufficient knowledge and ability to perform their assigned duties.

13.3 Drills and exercises to ensure the adequacy of the security plans required by this Part shall be conducted at ~~periodic intervals~~ least once each calendar year, with not more than 18 months between exercises. These exercises may be port facility specific, or as part of a cooperative exercise program with applicable port facility and ship security plans.

ANNEX 2

1 The following is proposed text to **Part B** on Port Facility Security of the **International Code for the Security of Ships**

International Code for the Security of Ships and of Port Facilities

Part B

Recommended guidance regarding the provisions of Part B of Chapter XI of the Annex to the International Convention for the Safety of Life at Sea, 1974 as amended

9 Port Facility Security

Restricted areas

9.1 The port facility owner or operator should divide the port facility into restricted areas of operation and limit visitors, employees, contractors, crew, passengers, and others to only those areas for which they have a need to enter. Once these restricted areas have been created, it is essential to conspicuously identify them so as to provide notice to all personnel of their presence and the restrictions associated with a given area.

Security barriers

9.2 The purpose of security barriers is to:

- .1 delineate the area to be protected;
- .2 create a physical and psychological deterrent to persons attempting unauthorized entry;
- .3 delay intrusion, enabling operating personnel and security guards to detect, and, if necessary, apprehend intruders; and
- .4 provide designated and readily identifiable places for entry of personnel and vehicles into areas where access is restricted.

9.3 These barriers may include: natural barriers (e.g., water, cliffs, topographical features, platform design), fabricated barriers (e.g., fences, walls), or electronic barriers (e.g., intrusion detection alarms). Security barriers to restricted areas should also be established to prevent access except at authorized points. Security barriers or fence lines should be kept clear of all obstructions.

9.4 The effectiveness of a security fence against penetration depends to a large extent on the construction employed. The total height of the security fencing should be not less than 2.50 meters.

9.5 The roofs of buildings may also provide a possible route for unauthorized access to restricted area. Safeguards should be taken to prevent such access by these routes.

9.6 Restricted areas partly surrounded by water may require security barriers with sufficient illumination during night hours and, if on navigable waters, frequent and unscheduled patrols by boat or ashore on foot, or both. Illumination of these areas should be of a type and so placed that it does not interfere with safe navigation.

Security lighting

9.7 Floodlights may be used to supplement the primary system and may be either portable or fixed. Floodlights when used should have sufficient flexibility to permit examination of the barrier under observation and adjacent unlighted areas.

9.8 Where fences and other barriers are to be illuminated, it is important to ensure that the intensity of illumination is adequate for the purpose.

Security alarms and communication systems

9.9 Intrusion detection systems and alarm devices may be appropriate as a complement to guards and patrols during periods of increased threat.

9.10 Immediate response capability by guards to an alarm from an intrusion detection system or device is important if its use is to be effective. Alarms may be local, i.e. at the site of the intrusion, provided at a central location or station, or a combination of both. A wide variety of intrusion detection systems and devices are available for possible use.

9.11 In view of the wide range of technical matters which must be taken into account in deciding upon the device or system best suited for application in each environment and for each task, it is prudent to obtain the advice of a qualified expert before a decision is made on the system or device to be used.

Access control and identification

9.12 Port Facilities should implement a pass or badge identification system to identify all personnel. These procedures should be closely monitored and enforced to preserve the integrity of the inspection, control and monitoring processes and the security of the facility. Acceptable means of identification and the procedures to be followed should be specifically provided for in the facility security plan or procedures.

9.13 All persons entering a port facility should possess and show a valid tamper-resistant photo identification card to gain facility access. Security personnel or other competent authorities should verify that an I.D. card matches the person presenting it.

9.14 Procedures for ship personnel (Pilots, crewmembers, agents, contractors, vendors and passengers on cargo ships) to depart or arrive by way of the port facility should be coordinated, in advance if practicable, with proper security personnel or competent authority in accordance with the port facility security plan.

9.15 Signs should be posted advising personnel of the search requirements prior to entry. Arrival of deliveries should be scheduled in advance to the maximum extent practicable. If not, deliveries should be detained until their authenticity is verified.

9.16 Control of access to employee parking areas should be supervised, and should be restricted by a permit system, with records maintained that include matching personnel with permit number and motor vehicle identification. Temporary permits should be issued to vendors and visitors for parking in designated controlled areas.

9.17 Parking for vehicles authorized on facility grounds should be restricted largely to vehicles that are essential within the facility. Parking for these vehicles should be restricted to clearly marked designated parking areas within the perimeter of the facility. Where practicable, exclusionary zones (non-parking areas) should be established to protect buildings or other potential high value targets.

9.18 Where appropriate, rail gates that allow access to a terminal should remain locked at all times, unless open and manned for passage of rail cars.

9.19 At security levels II and III - Vehicles entering or leaving the port facility should be searched as outlined in the Port Facility Security Plan.

9.20 At security levels II and III - Visitors, contractors, vendors, and other non-facility employees should be escorted to their destination. Port facility personnel or security personnel should closely supervise any vendors or contractors performing essential repair work. Non-essential repair work should be cancelled or delayed.

9.21 At security levels II and III - Only persons with official port facility or ship business should be authorized to embark or disembark a ship moored to the port facility.

Security Personnel

9.22 The security personnel strength and composition should be commensurate with the degree of security protection described in the Port Facility Security Plan or written procedures for the established security level. The port facility security personnel forces should establish a working arrangement with local law enforcement that should ensure an adequate response time.

9.23 Guards or security personnel should:

- .1 control all exterior access points, access to restricted areas, and principal interior access points to the port facility.
- .2 be properly trained and possess the appropriate certification or license (if applicable) as appropriate.
- .3 conduct roving safety and security patrols specific to a port facility's layout, including the areas of waterside access, to ensure that gates, fence lines, and buildings are secure. Assignments, times, and patrol routes should be varied at frequent intervals to avoid establishing routines.

Cargo Security

9.24 Good cargo security procedures, effective facility security, and inventory control procedures at access points to the port facility, in conjunction with well maintained perimeter security may mitigate against cargo crimes and the illegal entry of unauthorized persons.

9.25 Access to areas where documentation is processed should be limited solely to authorized personnel, and shipping documents should be safeguarded from theft.

Delivery documents should be closely scrutinized, seal numbers on containers should be verified against shipping documents, and seals should be checked for integrity.

9.26 Gate personnel should verify delivery orders before allowing entry to or exit from restricted areas.

9.27 Where practicable, import cargo, export cargo, and domestic cargo operations should be segregated. Also, delivery and receiving operations shall be segregated.

9.28 Cargo stored in open areas, and palletized or stacked cargo stored in warehouse facilities, should be properly stacked and placed within, away from, and parallel to fences and walls, to ensure unimpeded views for security personnel.

9.29 Bills of lading for cargo and containers should be checked for accuracy before acceptance. Cargo should be adequately described on documentation, and the weights and piece counts indicated. Cargo documentation should be closely guarded to avoid documentation fraud.

9.30 Port facility operators should maintain, and continuously update, an accurate list (paper or electronic) of all cargo on the port facility and a location chart of all cargo and containers in their port facility.

9.31 High value cargoes not in containers should be stored in cribs or security cages designed to resist forcible entry from all sides, and separate logs and procedures for the release and receipt of these commodities should be maintained.

9.32 High value cargoes in mounted containers should be placed in a secure holding area where they can be observed by management or security personnel at all times, and separate logs and procedures for the release and receipt of these containers should be maintained. High value cargoes in containers requiring storage should be placed in such a manner that their location is not readily apparent.

10 Port Facility Security Plan and Procedures

No additional guidance.

11 Port Facility Vulnerability Assessment

Note: The proposed amendments to this section are contained in MSC 75/17/35 (Port Facility Vulnerability Assessments submitted by the United States).

12 Port Facility Security Officer

No additional guidance.

13 Training and Drills

No additional guidance.